

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE APPLICATION :

FOR LICENSURE OF : ORDER
EDMUND B. EISNAUGLE, D.O. : CA-91-002
LICENSEE

NOW ON June 23, 1993 BE IT REMEMBERED:

1. That on June 24, 1991, the Iowa State Board of Medical Examiners, (hereafter the Board) authorized the issuance of a license to practice osteopathic medicine and surgery in an approved residency program to Edmund B. Eisnaugle, D.O., (hereafter the licensee) under certain terms and provisions; and,

2. That the Licensee having complied with the terms and provisions of the agreement; and,

3. That the Board having directed that the said Consent Agreement should be terminated;

IT IS HEREBY ORDERED:

That the Consent Agreement entered into between the Licensee and the Board on June 24, 1991, shall be terminated effective at 0001 hours June 24, 1993, and the license issued pursuant to the said Consent Agreement shall have full privileges free and clear of any restrictions

Charlotte A. Cleaver, D.O.
Charlotte A. Cleaver, D.O.
Chairperson
IOWA STATE BOARD of MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, Iowa 50319-0180

FILE

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE)	
)	
APPLICATION FOR)	
)	
LICENSURE OF)	CONSENT AGREEMENT
)	
EDMUND B. EISNAUGLE, D.O.,)	
)	
RESPONDENT.)	

COME NOW the Iowa Board of Medical Examiners [hereinafter the Board] and Edmund B. Eisnaugle, D.O., [hereinafter the Respondent] and enter into the following Consent Agreement for issuance of a resident license to practice osteopathic medicine and surgery:

1. The Respondent applied for a permanent license to practice osteopathic medicine and surgery in Iowa in December 31, 1990.

2. The Board denied the permanent license application by letter dated April 18, 1991.

3. An appeal of the denial of permanent licensure is currently pending.

4. As a resolution of the pending appeal, the Board and the Respondent agree to issuance of a resident license to practice osteopathic medicine and surgery under the following terms and conditions:

- A. The Respondent shall be issued a resident license for a period of one year commencing on June 24, 1991. Upon successful completion

E.B.E.

of the year of residency, the Respondent may apply for a permanent license. The Respondent, however, shall be restricted to residency under the permanent license for an additional year or until further order of the Board.

- B. The Respondent shall abstain from the use of alcohol.
- C. The Respondent shall not possess or use any controlled or prescription drug in any form unless prescribed for him by a duly licensed, treating physician or other qualified medical practitioner. The Respondent shall inform any treating physician or medical practitioner of the terms of this Consent Agreement prior to accepting any medication.
- D. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening all

costs of which shall be paid by the Respondent.

- E. The Respondent shall within thirty (30) days of the execution of this Consent Agreement submit to the Board for approval the names and curriculum vitae of three physicians or counselors practicing in Iowa.

(1) As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's treatment on a quarterly basis or upon request.

(2) The Respondent shall continue treatment or counseling until discharged from treatment by the physician or counselor and discharge as approved by the Board.

- F. The Respondent shall attend at least one meeting of Alcoholics Anonymous or a similar organization weekly. Quarterly reports submitted under ¶ 4G shall include

a statement by the Respondent attesting to attendance and listing the date and place of each meetings attended. In addition, the Respondent shall append to each report a signed statement by another member of the organization which confirms the Respondent's attendance.

- G. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of this Consent Agreement.
- H. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be given reasonable notice of the date, time and place for the appearances.
- I. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Iowa.


5. If the Respondent fails to complete two years of residency training under the terms of this Consent Agreement, he shall surrender his permanent license, make no further applications of any kind to the Board and waive all rights to appeal the denial of further licensure by the Board.

6. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Consent Agreement.

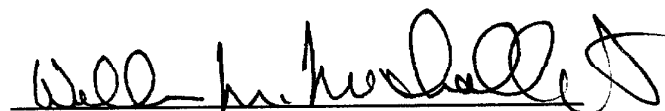
7. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Consent Agreement, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code §§ 148.6(1) and 258A.3(2) and 653 Iowa Admin. Code § 12.2.

8. This Consent Agreement is subject to approval of the Board. If the Board fails to approve this Consent Agreement, it shall be of no force or effect to either party.

9. This Consent Agreement is voluntarily submitted by the Respondent to the Board for consideration.



EDMUND B. EISNAUGLE, D.O.

Subscribed and sworn to before me on this 8TH day of
JUNE, 1991.

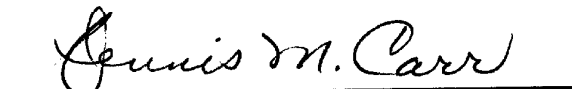

NOTARY PUBLIC IN AND FOR THE
STATE OF ~~IOWA~~ OHIO.

WILLIAM M. MARSHALL, JR., Attorney At Law
Notary Public - State of Ohio
My commission has no expiration date.
Section 147.03 R. C.

This Consent Agreement is accepted by the Iowa Board of
Medical Examiners on the 23rd day of May, 1991.


C.L. PETERSON, D.O., Chairman
Iowa Board of Medical Examiners

Subscribed and sworn to before me on this 17th day of
June, 1991.


NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA



TERRY E. BRANSTAD, GOVERNOR

BOARD OF MEDICAL EXAMINERS
WILLIAM S. VANDERPOOL, EXECUTIVE DIRECTOR

April 18, 1991

Edmund B. Eisnaugle, D.O.
1555 Hiram Avenue
Niles, Ohio 44446

IN RE: Notice of denial of Iowa osteopathic medical licensure

Dear Dr. Eisnaugle:

On April 11, 1991, the Iowa State Board of Medical Examiners considered your application for permanent Iowa osteopathic medical licensure. Following its review of your application, supporting documentation and other pertinent material and information, the Board voted to deny your application. The Board's action, taken pursuant to the provisions of section 147.4 of the 1991 Code of Iowa, was based upon your felony conviction in the courts of the state of Ohio; the disciplinary action taken against you by the Ohio medical licensing agency, including its permanent revocation of your Ohio license; your prior chemical abuse and concerns about your ability to provide competent care due to the fact you haven't practiced medicine for several years.

Pursuant to the provisions of Iowa Administrative Code rule 653-11.34, you may appeal the Board's denial of licensure by serving a notice of appeal and request for hearing on the Board's executive director not more than thirty days from the date of this notice. A photocopy of the said rule is attached for your convenience.

Should you have any questions or concerns, please feel free to contact this office.

Sincerely,

William S. Vanderpool
Executive Director

WSV/jai

cc: File

rule 12.4(258A), the board may deny reinstatement of a license to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy in Iowa or may impose any applicable disciplinary sanction as specified in rule 12.2(258A) as a condition of reinstatement.

653—11.33(17A) Forms. All applications for examinations, certificates and licenses shall be on forms prescribed by the board. These forms may include, but not be limited to, the following, and where practicable, any one or more of the following forms may be consolidated into a single form.

<u>Board Form</u>	<u>Form Title</u>
1	Application for a license to practice medicine and surgery or osteopathic medicine and surgery on the basis of written examination.
2	Application for a license to practice medicine and surgery, osteopathic medicine and surgery or osteopathy on the basis of interstate endorsement or by acceptance of the certificate of the National Board of Medical Examiners or the United States of America, Inc., the National Board of Osteopathic Examiners or the Medical Council of Canada Licentiate Qualifying certificate.
3	Resident physician's application for licensure.
4	Application for a temporary license.
5	Application for approval of a physician's assistant.
6	Application for reinstatement of license to practice medicine and surgery.
7	Application for renewal of a medicine and surgery license.
8	Application for renewal of an osteopathic medicine and surgery license.
9	Application for renewal of an osteopathic license.
10	Application for renewal of a resident physician's license.
11	Application for renewal of a physician's assistant certificate.
12	Complaint form.
13	Report of continuing medical education.
14	Certificate of exemption from continuing education requirements.
15	Application for waiver of minimum education requirements due to disability or illness.

11.33(1) Whenever the board denies licensure to an applicant, the board shall by U.S. First Class Certified mail, return receipt requested, or in the manner of service of an original notice notify the applicant of the licensure denial in writing, citing the reasons for which the application was denied, and the date upon which the denial took place.

11.33(2) Reserved.

653—11.34(147,148,150) Licensure denied—appeal procedure. An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a notice of the appeal and request for hearing upon the executive director not more than 30 days following the date of the mailing of the notification of licensure denial to the applicant or, not more than 30 days following the date upon which the applicant was served notice if notification was made in the manner of service of an original notice. The request for hearing as outlined herein shall specifically delineate the facts to be contested and determined at the hearing.

653—11.35(147,148,150) Licensure denied—hearing. If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to 11.34(147,148,150), the hearing and subsequent procedures shall be pursuant to the process outlined in subrules 12.50(13) to 12.50(32) inclusive.